

**Listing of Claims**

- 1-30. (Canceled)
31. (Previously presented) A fusion immunotoxin comprising a single-chain variable region of an anti-CD3 antibody linked to a toxin moiety, wherein the anti-CD3 antibody is UCHT1, wherein the diphtheria toxin moiety is DT390.
32. (Previously presented) The fusion immunotoxin according to claim 31, comprising DT390 linked via its carboxy terminus to the single-chain variable region of the anti-CD3 antibody.
33. (Previously presented) The fusion immunotoxin according to claim 32, wherein the single-chain variable region of the anti-CD3 antibody comprises the variable light domain linked via its carboxy terminus to the variable heavy domain, via a linker.
- 34-36. (Canceled)
37. (Previously presented) A fusion immunotoxin, consisting of DT390 linked via its carboxy terminus through a linker to the variable light domain of UCHT1 which is linked via its carboxy terminus through a (Gly<sub>4</sub>Ser)<sub>3</sub> (SEQ ID NO:15) linker to the variable heavy domain of UCHT1.
38. (Currently amended) A method for inhibiting rejection of mismatched kidney transplant in a subject, comprising administering to the subject an immunotoxin according to claim ~~30~~ 45.
39. (Currently amended) A method for treating a subject with a T-cell mediated disease, comprising administering to the subject an immunotoxin according to claim ~~30~~ 45.
- 40-42. (Canceled)
43. (Previously presented) A method for inhibiting rejection of mismatched kidney transplant in a subject, comprising administering to the subject an immunotoxin according to claim 37.

44. (Previously presented) A method for treating a subject with a T-cell mediated disease, comprising administering to the subject an immunotoxin according to claim 37.
45. (Previously presented) A fusion immunotoxin comprising a single-chain variable region of an anti-CD3 antibody linked to a toxin moiety, wherein the anti-CD3 antibody is UCHT1, wherein the diphtheria toxin moiety is a truncation of native diphtheria toxin at the carboxy terminus, and wherein 152, 150, or 145 carboxy terminal amino acid residues are truncated from the native diphtheria toxin moiety.
46. (Previously presented) The method of claim 44, wherein the T-cell mediated disease is graft versus host disease (GvHD).
47. (Previously presented) The method of claim 44, wherein the T-cell mediated disease is an autoimmune disease.
48. (Currently amended) A fusion immunotoxin comprising a single-chain variable region of an anti-CD3 antibody linked to a toxin moiety, wherein the anti-CD3 antibody is UCHT1, wherein the diphtheria toxin moiety is a truncation of native diphtheria toxin at the carboxy terminus, and wherein the truncated toxin moiety is not recognized by bypasses the inhibitory effect of pre-existing anti-diphtheria toxin antibodies.
49. (Previously presented) The fusion immunotoxin of claim 48, wherein the anti-CD3 antibody is divalent.
50. (Previously presented) A method for inhibiting rejection of mismatched kidney transplant in a human subject, comprising administering to the subject an immunotoxin according to claim 48.
51. (Previously presented) A method for treating a subject with a T-cell mediated disease, comprising administering to the subject an immunotoxin according to claim 48.